

EVANGELINE G. SMITH,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER AMENDING
)	JUDGMENT
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

While noting the origin of the error to be with plaintiff, it is important to correctly spell the names of litigants not just in pleadings, but in the final Judgment. The court will, therefore, in accordance with Rule 60(a), Federal Rules of Civil Procedure, correct

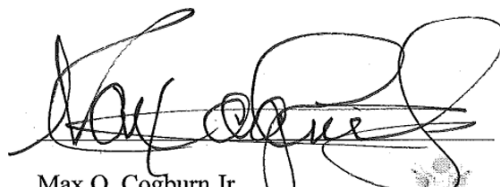
the clerical error in the spelling of plaintiff's name in the Judgment inasmuch as leave has been allowed for this court to do so by the Court of Appeals for the Fourth Circuit. See Fed.R.Civ.P. 60(a) (leave of the appellate court is required to amend a judgment based on a clerical error after appeal has been taken).

ORDER

IT IS, THEREFORE, ORDERED that the Judgment is **AMENDED** *nunc pro tunc* to reflect that plaintiff's given name is Evangeline and not Evangelina as previously represented to the court by plaintiff.

The Clerk of this Court is instructed to send a courtesy copy of this Order to Honorable David S. Cayer, United States Magistrate Judge.

Signed: July 14, 2011



Max O. Cogburn Jr.
United States District Judge